

TfW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Banas, et al.

Serial No.: 10/840,205 Group Art Unit: 3731

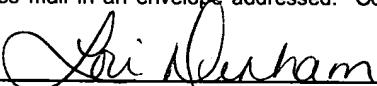
Filed: 5/6/04 Examiner:

For: Metallic Implantable Grafts and Method of Making Same

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on this the 30th day of December, 2005 with sufficient postage as first class mail in an envelope addressed: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Lori Dunham

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is requested that the references listed on the attached Information Disclosure Citation Form, PTO 1449, be considered by the Patent Examiner in connection with the above-identified application and be made of record therein.

This Information Disclosure Statement is being filed within three months after the filing date of the application or prior to the mailing date of the first Office action, whichever is later. 37 CFR 1.97(b).

Copies of certain of the references were previously cited by and/or submitted to the U.S. Patent and Trademark Office in related applications Serial No. 10/135,316, filed April 29, 2002; Serial No. 09/745,304, filed December 22, 2000; Serial No. 09/443,929, filed November 19, 1999, now U.S. Patent No. 6,379,383; Serial No. 10/289,974, filed November 6, 2002; 10/289,843, filed November 6, 2002 and 09/532,164, filed March 20, 2000, now U.S. Patent No. 6,537,310 (the "prior applications"). Therefore, under 37 C.F.R. § 1.98(d), copies of those references cited and/or submitted in the prior applications are not enclosed, but will be provided upon request.

Copies of foreign and/or non-patent references not previously cited and/or submitted in the prior applications, if any, are enclosed herewith.

Independent consideration and acknowledgment of the listed references are respectfully requested.

No fee is believed due with the filing of this Information Disclosure Statement, however, Applicant authorizes the Commissioner to charge any insufficiencies in fees which may be due in connection with the filing of this Information Disclosure Statement to be charged to Deposit Account 18-2000.

Respectfully submitted,

Christopher J. Betti

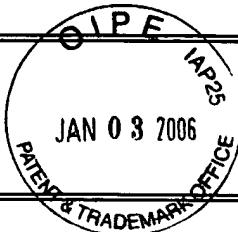
Christopher J. Betti
(Reg. No. 56,890)

December 29, 2005

ROSENBAUM & ASSOCIATES, P.C.
650 Dundee Road
Suite #380
Northbrook, IL 60062
(847) 770-6000 Telephone
(847) 770-6006 Facsimile
cbetti@biopatentlaw.com

Docket No. 6006-157

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)



ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
AA1		5,824,056	10/20/98	Rosenberg	623/1	606/191
AB1		5,849,206	12/15/98	Amon, et al.	216	37
AC1		5,765,418	6/16/98	Rosenberg	72	47
AD1		5,873,904	2/23/99	Ragheb, et al.	623	1
AE1		5,725,573	3/10/98	Dearnaley, et al.	623	2
AF1		5,605,714	2/25/97	Dearnaley, et al.	427	2.24
AG1		4,846,834	7/11/89	von Recum, et al.	623	66
AH1		4,751,099	6/14/88	Niino, et al.	427	34
AI1		5,962,138	10/5/99	Kolluri, et al.	428	411.1
AJ1		5,782,910	7/21/98	Davidson	623	3
AK1		6,103,320	8/15/00	Matsumoto, et al.	427	535

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL1	01/53559	26.07.01	WIPO	C23C	14/14	
AM1	01/55473	02.08.01	WIPO	C23C	14/00	
AN1	97/07257	27.02.97	WIPO	C23C	14/00	
AO1	00/04204	1/24/00	WIPO	C23C	14/34	
AP1	00/54704	9/21/00	WIPO	A61F	2/06	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR1 "Multilayer Ceramic/Metallic Coatings by Ion Beam-Assisted, Electron Beam Physical Vapor (EB-PVD) Deposition, Penn State Applied Research Laboratory, pp. 1-4 (1997)

AS1 "The Effects of Ion Irradiation on NiTi Shape Memory Alloy Thin Films" by F. Goldberg and E. Knystautas, Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 177-182 (1997)

AT1 "Vacuum Conditions for Sputtering Thin Film TiNi", Journal of Vacuum Science and Technology, JVST A Online, pp. 1-2 (Abstract view)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA2	5,735,896	4/7/98	Amon, et al.	623	11
	AB2	5,723,219	3/3/98	Kolluri	428	411.1
	AC2	5,824,045	10/20/98	Alt	623	1
	AD2	5,277,933	1/11/94	Claar, et al.	427	248
	AE2	5,084,151	1/28/92	Vallana	204	192.11
	AF2	5,855,955	1/5/99	Claar, et al.	427	248.1
	AG2	5,607,463	3/4/97	Schwartz, et al.	623	1
	AH2	5,609,629	3/1/97	Fearnott, et al.	623	1
	AI2	5,858,556	1/12/99	Eckert, et al.	428	586
	AJ2	6,274,014	8/14/01	Matsumoto, et al.	204	2998.11
	AK2	5,690,670	11/25/97	Davidson	606	198

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL2	01/21852	3/29/01	WIPO	C23C	14/34	
AM2	01/43790	6/21/01	WIPO	A61L	33/02	
AN2	01/55473	8/2/01	WIPO	C23C	14/00	
AO2	01/21851	3/29/01	WIPO	C23C	14/34	
AP2	97/44692	11/27/97	WIPO	G02B	6/16	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR2 "Relative importance of bombardment energy and intensity in ion plating", K.S. Fancey, et al., Journal of Vacuum Science & Technology A: Vacuum, Surfaces and Films, Vol. 13, Issue 2, pp. 428-435 (Abstract view) March 1995

AS2 "Thin Film Shape Memory Microvalves with Adjustable Operation Temperature" by Kohl, Dittmann, Quandt and Winzek, Sensors and Actuators, Vol 83, pp. 214-219, (2000)

AT2 "Multicomponent Film Deposition by Target Biasing", IBM Technical Disclosure Bulletin, pp. 1-2 (July 1980)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
 List of Patents and Publications
 For Applicant's Information
 Disclosure Statement
 (Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
 APPLICANT: Banas, et al.
 FILING DATE: 5/6/04
 SERIAL NO: 10/840,205
 GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA3	4,510,182	4/9/85	Cornils, et al.	427	162
	AB3	5,782,908	7/21/98	Cahalna, et al.	623	1
	AC3	5,932,299	8/3/99	Katoot	427	508
	AD3	5,683,453	11/4/97	Palmaz	623	1
	AE3	5,593,442	1/14/97	Klein	623	12
	AF3	6,458,152	10/1/02	Khosravi, et al.	623	001.13
	AG3	5,945,153	8/31/99	Dearnaley	427	2.12
	AH3	5,049,251	9/17/91	Inone	204	192
	AI3	5,540,820	7/30/96	Terakado, et al.	204	192.3
	AJ3	5,843,289	12/1/98	Lee, et al.	204	192
	AK3	5,728,150	3/17/98	McDonald, et al.	623	1

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL3	99/23977	5/20/99	WIPO	A61F	2/06	
AM3	99/62432	12/9/99	WIPO	A61F	2/06	
AN3	1452370	3/21/74	Germany	C21C	37/15	
AO3	0 400 947	5/29/90	Europe	C23C	16/00	
AP3	0 442 303	1/25/91	Europe	C23C	16/26	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR3 "Oriented nickel-titanium shape memory alloy films prepared by annealing during deposition" by Kathleen Gisser, et al., Applied Physics Letters, Vol. 61, Issue 14, pp. 1632-1634 (Abstract View)

AS3 "Thin Film Shape Memory Alloy Microactuators" by TiNi Alloy Company (online)

AT3 "A Concise History of Vacuum Coating Technology, Part 2: 1940 to 1975" by D. Mattox, www.svc.org/HistoryofVac2.html, pp 1-15

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA4	5,843,120	12/1/98	Israel, et al.	606	198
	AB4	6,013,054	1/11/00	Jiun Yan	604	096
	AC4	6,113,750	9/5/00	Shinmura, et al.	204	192.15
	AD4	6,120,536	9/19/00	Ding, et al.	623	011.43
	AE4	01/0039449	11/8/01	Johnson, et al.	623	1.19
	AF4	6,207,536	3/27/01	Matsumoto, et al.	438	478
	AG4	6,287,277	9/11/01	Yan	604	096.01
	AH4	6,287,435	9/11/01	Drewery, et al.	204	298.09
	AI4	6,290,721	9/18/01	Heath	623	1.15
	AJ4	6,293,967	9/25/01	Shanley	623	1.15
	AK4	01/0032013	10/18/01	Marton		

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL4	11267462	10/5/99	Japan	B01D	59/34	
AM4	51055724	5/17/76	Japan	C22C	01/02	
AN4	01/56502	8/9/01	WIPO	A61F	2/06	
AO4						
AP4						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR4 "Constitutive Parts of a Shape Memory Alloy Titanium Nickel Thin Film Catheter" by L. Buchaillot, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 183-188 (1997)

AS4 "The Characteristics of NiTi HCD-Deposited SMA Films" by H. Weixin, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 167-172 (1997)

AT4 "Microstructure of Ti-Rich TiNi Thin Films" by A. Ishida, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 161-166 (1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA5	6,312,463	11/6/01	Rourke, et al.	623	1.39
	AB5	6,331,191	12/18/01	Chobotov	623	1.44
	AC5	5,242,710	9/7/93	Claar, et al.	427	248
	AD5	5,647,858	7/15/97	Davidson	604	264
	AE5	5,690,670	11/25/97	Davidson	606	198
	AF5	5,772,864	6/30/98	Moller, et al.	205	73
	AG5	5,387,247	2/7/95	Vallana, et al.	623	2
	AH5	5,972,018	10/26/99	Israel, et al.	606	198
	AI5	5,061,914	10/29/01	Busch, et al.	337	140
	AJ5	6,096,175	8/1/00	Roth	204	192
	AK5	5,133,845	7/28/92	Vallana, et al.	204	192

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL5						
AM5						
AN5						
AO5						
AP5						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR5 "The Experimental Use of Steel Mesh Tubes for the Replacement of Arterial Segments," by Larry, Banning G., M.D., et al., Presented at the Third Scientific Meeting of the North American Chapter of the International Society of Angiology, Atlantic City, NJ, pp. 69-75 (June 4, 1955)

AS5 "Progress in Thin Film Shape Memory Microactuators," by Johnson, et al., www.sma-mems.com/recent.htm (Overview), pp. 105

AT5 "A Concise History of Vacuum Coating Technology, Part 2: 1940 to 1975," by D. Mattox, www.svc.org/HistoryofVac2.html, pp. 1-5

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
 List of Patents and Publications
 For Applicant's Information
 Disclosure Statement
 (Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
 APPLICANT: Banas, et al.
 FILING DATE: 5/6/04
 SERIAL NO: 10/840,205
 GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA6	5,685,961	11/11/97	Pourrezaei, et al.	204	192
	AB6	5,855,802	1/5/99	Acciai, et al.	216	8
	AC6	5,951,881	9/14/99	Rogers, et al.	216	41
	AD6	5,421,955	6/6/95	Lau, et al.	216	48
	AE6	5,158,750	10/27/92	Finicle	422	102
	AF6	6,124,523	9/26/00	Banas, et al.	623	11
	AG6	6,039,755	3/21/00	Edwin, et al.	623	1
	AH6	5,902,332	5/11/99	Schatz	623	1
	AI6	5,928,279	7/27/99	Shannon, et al.	623	1
	AJ6	5,735,892	4/7/98	Myers, et al.	623	1
	AK6	6,383,214	5/7/02	Banas, et al.	623	1.14

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes	No
AL6							
AM6							
AN6							
AO6							
AP6							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR6 "Model Surfaces for Studying and Controlling the Adhesion of Cells" by M. Mrksich, AVS 47th International Symposium, Invited Paper No. BI+EL-TuA1 (October 3, 2000)

AS6 "Cell Response to Chemically and Topographically Modified Surfaces" by D.S. Sutherland, et al., AVS 47th International Symposium, Invited Paper No. BI+EL-TuA3 (October 3, 2000)

AT6 "Tissue Formation of Hepatocytes on Micro-Porous Films of Polylactide" by T. Nishikawa, et al., AVS 47th International Symposium, Invited Paper No. BI+EL-TuA10 (October 3, 2000)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA7	6,451,047	9/17/02	McCrea, et al.	623	1.13
	AB7	6,264,684	7/24/01	Banas, et al.	623	1.13
	AC7	5,984,905	11/16/99	Dearnaley, et al.	604	265
	AD7	5,370,684	12/6/94	Vallana, et al.	623	1
	AE7	5,545,210	8/13/98	Hess, et al.	623	1
	AF7	4,739,762	4/26/88	Palmaz	604	104
	AG7	4,733,665	3/29/88	Palmaz	604	104
	AH7	4,776,337	10/11/98	Palmaz	623	1
	AI7	5,102,417	4/7/92	Palmaz	604	8
	AJ7	03/0004567	1/2/03	Boyle, et al.	623	195
	AK7	03/0028246	2/6/03	Palmaz, et al.	623	1.13

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL7						
AM7						
AN7						
AO7						
AP7						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR7 "Endothelial Cell Organization on Micropatterned Protein Surfaces" by R. Daw, et al., AVS 47th International Symposium, Invited Paper No. BI-WeP21 (October 4, 2000)

AS7 "The Nanomechanical Properties of Thin Films" by J.E. Houston, AVS 47th International Symposium, Invited Paper No. TF-TuA1 (October 3, 2000)

AT7 "Porous and nonporous polycarbonate Urethane stent-grafts for TIPS formation: biologic responses (abstract)" by Z.J. Haskal and L.J. Brennecke, J. Vasc. Interv. Radiol., Vol. 10, No. 9, pp. 1255-1263 (October 1999)

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

U.S. PATENT DOCUMENTS

Examiner's Initials	Ref. Desig.	Document Number	Date	Name	Class	Subclass
	AA8	6,264,687	7/24/01	Tomonto	623	1.16
	AB8	01/0021870	9/13/01	Edwin, et al.	623	1.19
	AC8	5,423,885	6/13/95	Williams	623	1
	AD8	02/0156522	10/24/02	Ivancev, et al.	623	1.13
	AE8					
	AF8					
	AG8					
	AH8					
	AI8					
	AJ8					
	AK8					

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Document Number	Date	Country	Class	Subclass	Trans. Yes No
AL8						
AM8						
AN8						
AO8						
AP8						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR8 "Primary Implantation of Polyester-Covered Stent-Grafts for Transjugular Introhepatic Portosystemic Stent Shunts (TIPSS): A Pilot Study" by Manfred Cejna, et al., Cardiovasc Intervent Radiol, Vol. 22, pp. 305-310 (1999)

AS8 "Sputtering Targets High-Quality Thin Film Materials" by AMETEK Specialty Metal Products online at www.ametek84.com/fd-sputtering.html, pp. 1-3

AT8 "The influence of ion irradiation during film growth on the chemical stability of film/substrate systems" by W. Ensinger, Surface and Coatings Technology, Vol. 80, pp. 35-48 (1996)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO - 1449 (Modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-157
APPLICANT: Banas, et al.
FILING DATE: 5/6/04
SERIAL NO: 10/840,205
GROUP: 3731

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)
ADDED PAGE

1. "Anomalous Plastic and Elastic Behaviors of Sputter-deposited TiN with 10 or 20 Inserted Thin A1 Layers Evaluated by Nanoindentation" by E. Kusano, et al., AVS 47th International Symposium, Paper No. TF-TuA3 (October 3, 2000)
2. "Recent Progress in the Application of Thin Film Shape Memory Alloys" by A.D. Johnson and J.D. Busch, Proceedings of the First International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 299-310 (1994)
3. "Shape Memory Properties in NiTi Sputter-deposited Film", by J.D. Busch and A.D. Johnson, J Appl. Phys, Vol. 68, No. 12, pp. 6224-6226 (December 15, 1990)
4. "Thin-film Processing of TiNi Shape Memory Alloy" by J.A. Waker and K.J. Gabriel, Sensors and Actuators, A21-A23, pp. 243-246 (1990)
5. "Sputter-deposition of TiNi, TiNiPd and TiPd films displaying the two-way shape-memory effect" by E. Quandt, et al., Sensors and Actuators, A 53, pp. 434-439 (1996)
6. "Applications of Shape-Memory Alloy Thin Films" by A.D. Johnson and V.V. Martynov, Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 1-8 (1997)
7. "Liquid Sources for Chemical Vapor Deposition of Group 6 Metals and Metal Nitrides" by Gordon, et al., www.techtransfer.harvard.edu/cgi-bin/TALSearch.cgi?full_report=1&case=3, Case Number 1709
8. "Stents: Literature," <http://www.phytis.com/liter.htm>, pp. 1-8

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.